IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE SEVENTH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION No. 4325 of 2005

Between:

D.Pavan Kumar, s/o Harinathudu,
Corporate Office, Northern Power Distribution Company of AP Limited,

Warangal, r/o 8-11-163, Punjab National Bank Lane, Warangal.

..... PETITIONER

AND

1 Transmission Corporation of AP Ltd., rep., by its Chairman &

Managing Director, Vidyut Soudha, Hyderabad.
2 Northern Power Distribution Company of AP Ltd., rep., by its

Chairman & MD, Corporate office, Chaitanyapuri, Warangal.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ order or direction particularly one in the nature of writ of mandamus declaring that the action of the respondents in not granting relaxation in so far as he is concerned on par with similarly situated persons in various cadres including promotion to the category of Personnel Officer and not promoting him as Personnel Officer pending amendment of rules suitable is discriminatory and directing that the petitioner should also be considered for promotion as Personnel Officer on par with those similarly situated persons referred in the writ petition and pass such other order or orders as may deem fit.

Counsel for the Petitioner: MR.M.PANDURANGA RAO

Counsel for the Respondent Nos.1 and 2: MR.SAMINENI KISHORE SC FOR APSEB

The Court at the stage of admission made the following:

ORDER:

Challenging the action of the respondents in not granting relaxation in so far as the petitioner is concerned on par with the similarly situated persons in various cadres including promotion to the category of personal officer, and not promoting him as personal officer, the present writ petition is filed.

The learned counsel for the petitioner contended that the persons similarly placed in the category of the petitioner have been given promotions as personal officers. Therefore, the present writ petitioner is illegally discriminated.

On the other hand, the learned standing Counsel for the respondents contended that only after considering the petitioner's case in accordance with the rules and regulations of the Corporation, not granted any relaxation.

Therefore, without entering into the merits of the case, it would suffice in the interests of justice to direct the respondents to consider the petitioner's case, if other persons similarly situated in the category of the petitioner have been exempted in giving promotions.

Accordingly, the Writ Petition is disposed of, directing the respondents to consider the case of the petitioner, in case any relaxation was given to the similarly situated persons, extend the same to writ petitioner, in accordance with rules and regulations of the Corporation, within a period of two months from the date of receipt of a copy of this Order. No order as to costs.

ASSISTANT REGISTRAR

Dated: 07.03.2005

Dsr

To:

1. The Chairman & Managing Director,

Transmission Corporation of A.P.Limited,

Vidyut Soudha, Hyderabad

2. The Chairman & Managing Director,

Northern Power Distribution Company,

Corporate Office, Chaitanyapuri,

Warangal

3. Two CD copies

*Form-NIC-OGS/WP{**RS**}*